

# IOWA ETHICS AND CAMPAIGN DISCLOSURE BOARD

An Independent Agency of the Executive Branch

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**BOARD MEMBERS:**  
James Albert, Chair  
Patricia Harper, Vice Chair  
Gerald Sullivan  
John Walsh  
Saima Zafar  
Carole Tillotson

## MINUTES

### IOWA ETHICS AND CAMPAIGN DISCLOSURE BOARD

#### OPEN SESSION

FEBRUARY 24, 2011

12:00 NOON

JESSIE PARKER BUILDING

510 E. 12<sup>TH</sup> STREET

DES MOINES, IA

1. CALL TO ORDER – called to order at 12:10 pm by Albert. Board Members present at meeting James Albert, Patricia Harper, Carole Tillotson, Gerald Sullivan. Staff present: Megan Tooker, Sharon Wright, Melody Feldt, Brian Woline.
2. APPROVAL OF MINUTES -  
October 14, 2010, November 24, 2010, December 1, 2010 –Sullivan moved to approve, Tillotson seconded. Motion carried.

12:20pm Board member Saima Zafar arrives.

#### 3. REPORT FROM EXECUTIVE DIRECTOR/LEGAL COUNSEL

##### A. ADMINISTRATIVE ISSUES

Oral

1. Introduction of new staff – Melody Feldt and Brian Woline
2. Status report on audits and creation of an auditor handbook  
Reports of legislative & statewide candidates are 6 months to a year behind.  
Reports of county/local candidates and ballot issues are current to December of 2010. Reports of PACs and Central Committees are one year behind.
3. Status report on IECDB's FY2011 and FY2012 budgets
4. Plans to update design of website  
Letter of introduction will be sent to open committees, which will solicit feedback on current version of website.

**B. LEGAL ISSUES**

Oral

**1. Pending bills that pertain to IECDDB.**

HF 45 – Current version no longer includes the \$61,648 cut of IECDDB's FY2011 budget.

HF 126 – Requires electronic filing of lobbyist registration and client reports. Requires executive branch lobbyists' registration and client reports to be filed with general assembly, and requires IECDDB to provide link on its website to filed registration and reports. IECDDB retains oversight authority over executive branch lobbyists.

SF 207 – Requires more disclosure for organizations qualifying under 26 U.S.C. §501(c)(4) or §501(c)(6) as organizations exempt from taxation.

**2. Status of *Iowa Right to Life Committee, Inc.* lawsuit**

Judge Pratt in his ruling denying Plaintiff's motion for preliminary injunction noted Iowa's statutory scheme for independent expenditures was ambiguous because groups making independent expenditures also fall within Iowa's definition of "political committee". Discussion followed about proposing amendment to Chapter 68A to eliminate this ambiguity. Cross motions for summary Judgment are pending before the court. Attorney General's office is representing IECDDB.

**4. ADVISORY OPINIONS**

Document

**A. Agency head / Conflict of Interest**

Motion to approve by Sullivan, Harper 2<sup>nd</sup>. Motion carries

**B. Transfer of Campaign Funds to Charitable Organization**

Motion to approve by Tillotson, Sullivan 2<sup>nd</sup>. Motion carries.

Discussion by Tillotson to entertain motion to suggest waiver requests for de minimus penalties to be done by director. Albert disagrees with suggestion because he believes reviewing waiver requests is an important function of the Board. No motion. Discussion tabled.

1:14 pm Carole Tillotson leaves meeting due to work schedule.

**REQUESTS FOR WAIVER OF CIVIL PENALTIES**

**Document**

**A. State Committees ( Rule 351 IAC 4.59(4) –Supplemental Report**

- 1. Friends of Freedom for Dave Leach, Dave Leach**  
**Motion to waive by Zafar, Sullivan 2<sup>nd</sup>, motion carries.**

**B. State Committees ( Rule 351 IAC 4.59(3)**

- 1. Friends of Sandy Salmon, Sandy Salmon**  
**Motion to reduce penalty to \$50 by Harper, Zafar 2<sup>nd</sup>, motion carries.**
- 2. Iowans for a Skilled Workforce, Linda Claussen**  
**Motion to waive penalty and send admonishment by Sullivan, Harper 2<sup>nd</sup>, motion carries.**

Discussion regarding waiver requests due to alleged failure to receive email reminder. Board directs staff to include statement in waiver that reminders are courtesy only and will not be basis for waiver in the future. Board in favor of continuing policy of sending reminders ahead of filing deadlines.

- 3. Home Builders of Ames Build PAC, Steve Shuey**  
**Motion to waive penalty by Zafar, Sullivan 2<sup>nd</sup>, motion carries**
- 4. Women for a Stronger America, Cynthia Forbes**  
**Motion to waive penalty by Zafar, Harper 2<sup>nd</sup>, motion carries.**
- 5. Friends of Prairie Meadows PAC, Troy Skinner**  
**Motion to waive penalty by Harper, Zafar 2<sup>nd</sup>, motion carries.**
- 6. Homebuilders Association PAC, Flora Schmidt**  
**Motion to waive penalty by Sullivan, Harper 2<sup>nd</sup>, motion carries.**
- 7. Dow AgroSciences Iowa PAC, Stephanie Ming**  
**Motion to waive by Sullivan, Harper 2<sup>nd</sup>, motion carries.**
- 8. Ankeny Area Democrats, Robert E Tucker**  
**Motion to deny by Sullivan, Harper 2<sup>nd</sup>, motion carries.**
- 9. Laborers Local 177, Kenny Gwinn**  
**Motion to deny by Sullivan, Harper 2<sup>nd</sup>, motion carries.**
- 10. African American Leadership Coalition/AALC PAC**
  - i. July report, \$200**
  - ii. October report, \$300****Motion to waive both penalties by Sullivan, Zafar 2<sup>nd</sup>, motion carries.**

**C. County/Local Committees (Rule 351 IAC 4.59(2))**

**1. Cecil Blum (Crawford County)**

Motion to deny by Sullivan, Harper 2<sup>nd</sup>, motion carries.

**2. Cherveny for Treasurer, Rebecca Chyma (Tama County)**

Motion to rescind penalty by Sullivan, Zafar 2<sup>nd</sup>, motion carries.

**3. Gaard for Supervisor, Lamoyre Gaard (Poweshiek County)**

Motion to deny by Sullivan, Zafar 2<sup>nd</sup>, motion carries.

**4. Committee to Elect Kirk J Requist, Kirk Requist (Montgomery County)**

Motion to deny by Sullivan, Harper 2<sup>nd</sup>, motion carries.

**5. Friends of Ben Smith, Ben Smith (Sac County)**

Motion to waive by Sullivan, Zafar 2<sup>nd</sup>, Harper votes no, motion fails. Discussion regarding situation of enlistment. Sullivan again moves to waive, Zafar 2<sup>nd</sup>s, motion carries.

**D. County Central Committees (Rule 351 IAC 4.59(2))**

**1. Madison County Republican Central Committee**

Motion by Sullivan to reduce penalty by half, Zafar 2<sup>nd</sup>, motion carries.

**2. Mills County Democratic Central Committee**

i. May report, \$100

ii. July report, \$200

Motion by Zafar to reduce by half, and send Letter of Admonishment to Chair that he is ultimately responsible for the filing of the report. Harper 2<sup>nd</sup>, motion carries

**E. Out-of-State Committees (Rule 351 IAC 4.59(6))**

**1. American Wind Energy Association (WINDPAC), Sean McGraw**

Motion by Sullivan to deny, Harper 2<sup>nd</sup>, motion carries.

**2. International Brotherhood of Electrical Workers, Lindell Lee**

Motion by Sullivan to reduce total penalty to \$325, Zafar 2<sup>nd</sup>, motion carries.

5. RESOLUTIONS COMMENDING SERIP<sup>1</sup> EMPLOYEES

- A. Linda Andersen
- B. Karen Hudson
- C. Suzan Miclef

Reading of Letters of commendations for retired employees. Motion made for Board to recognize Sharon Wright for service by Harper, Sullivan second. Motion carries.

6. ADJOURN

Motion to adjourn by Harper, Zafar 2<sup>nd</sup> at 1:59 PM

Respectfully submitted,



Sharon Wright

Administrative Staff

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<sup>1</sup> SERIP is short for State Employee Retirement Incentive Program